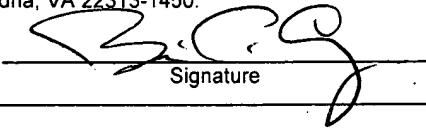


CASE ON0163-NP

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Brian C. Carey  
Type or print name

  
Signature

November 21, 2005  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF CHIANG ET. AL. ART UNIT 1652

APPLICATION NO. 09/801,852

Examiner: SLOBODYANSKY, ELIZABETH

FILED: March 8, 2001

FOR: DIRECT PRODUCTION OF DESACETYLCEPHALOSPORIN C

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST FOR CONTINUED EXAMINATION (RCE)

Sir:

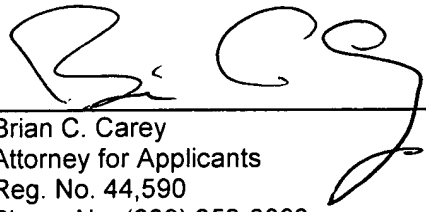
Enclosed please find a Request for Continued Examination (RCE) Transmittal form. As set forth in the RCE, please enter and consider Applicants' amendment filed on September 30, 2005. Applicants do not believe any fees for extensions of time are necessary.

Please charge Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company in the amount of \$790.00 for payment of the RCE filing fee. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000

Date: November 21, 2005

  
Brian C. Carey  
Attorney for Applicants  
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Phone No. (609) 252-3883



PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031  
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**Request  
for  
Continued Examination (RCE)  
Transmittal**Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/801,852
Filing Date	3/8/2001
First Named Inventor	SHU-JEN CHIANG
Art Unit	1652
Examiner Name	SLOBODYANSKY, ELIZABETH
Attorney Docket Number	ON 0163 NP

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☒ Other Amendment filed September 30, 2005

- b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 19-3880. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e) 11/25/2005 NNGUYEN1 00000047 193880 09801852

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 DA

iii. ☐ Other \_\_\_\_\_

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	November 21, 2005
Name (Print/Type)	Brian C. Carey	Phone	609-252-3883
		Registration No.	44,590

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	
Name (Print/Type)	Brian C. Carey
Date	November 21, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.